

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

OMAR STRATMAN,	)	
	)	
Plaintiff,	)	
	)	
versus	)	
	)	Case No. A02-0290 CV (JKS)
LEISNOI, INC., KONIAG, INC., and	)	
DIRK KEMPTHORNE, Secretary of the	)	ORDER GRANTING RULE 12(b)(1)
INTERIOR,	)	MOTION TO DISMISS FOR LACK
	)	OF FEDERAL SUBJECT MATTER
Defendants.	)	JURISDICTION RE: DOCTRINES OF
	)	ADMINISTRATIVE FINALITY
	)	AND COLLATERAL ESTOPPEL

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The Court finds that Omar Stratman's decertification claims are MOOT because, no appeal having been taken from the March 24, 1978 decision and order of dismissal in *Appeal of Omar Stratman*, ANCAB No. LS 77-4C, or from the August 28, 1974 final order dismissing challenges to the certification of the Native Village of Woody Island in *In re Woody Island*, ANCAB No. VE74-46, the doctrines of administrative finality and collateral estoppel bar Omar Stratman from challenging Woody Island's eligibility anew.

Since no appeals were taken from these two ANCAB rulings, the doctrines of administrative finality and collateral estoppel bar Omar Stratman, in this proceeding, from collaterally attacking those rulings or the predicate findings therein. *Keith Rush d/b/a Rush's Lakeview Ranch*, 125 IBLA 346 (1993); *CCCo.*, 127 IBLA 291, 293-94 (1993); *Shaw v. Hahn*, 56 F.3d 1128 (9<sup>th</sup> Cir.1995).

To satisfy Article III jurisdictional requirements, Stratman must show that he has suffered an injury in fact, and that it is likely, as opposed to merely speculative, that the injury will be redressed by a favorable decision. *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560-561 (1992). Inasmuch as the doctrines of administrative finality and collateral estoppel preclude his alleged injury from being redressed by a favorable decision in this case, the Court lacks federal subject matter jurisdiction and therefore GRANTS THE 12(b)(1) MOTION TO DISMISS.

ANCHORAGE, ALASKA this \_\_\_\_ day of \_\_\_\_\_, 2007.

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UNITED STATES DISTRICT JUDGE  
Honorable James K. Singleton